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1107 Convery Boulevard
Perth Amboy, NJ 08861
(732)324-7777
Attorney for Plaintiff

EDELEMIRA McBRIDE	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff,	:	MIDDLESEX COUNTY
	:	
Vs.	:	DOCKET NO.: L-1503-17
	:	
TED B. ROBINSON, KLLM	:	Civil Action
TRANSPORT SERVICES,	:	
JOHN DOES 1-10 (fictitious names	:	
true names presently unknown) and	:	SUMMONS
ABC-XYZ CORPS., (fictitious	:	
names, true names presently	:	
unknown)	:	
	:	
Defendants.	:	

From the State of New Jersey To the Defendant(s) named above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf). If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiffs demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

Dated: March 20, 2017


S/ MICHELLE M. SMITH
Superior Court Clerk

Name of Defendant to above Served: KLLM Transport Service, 135 Riverview Drive, Richland, MS 39218

FRANK A. TOBIAS LLC
(Bar ID#0322191992)
 1107 Convery Boulevard
 Perth Amboy, New Jersey 08861
 (732) 324-7777
 Attorneys for Plaintiff

CIVIL RECORDS
 N.J. SUPERIOR COURT
 MIDDLESEX VICINAGE

2017 MAR -9 A 9:09

FILED & RECEIVED #5

EDELEMIRA McBRIDE	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION/MIDDLESEX COUNTY
	:	
Plaintiff,	:	DOCKET NO: <u>L 1503-17</u>
	:	
-vs-	:	
	:	Civil Action
TED B. ROBINSON, KLLM	:	
TRANSPORT SERVICES,	:	
JOHN DOES 1-10 (fictitious names	:	COMPLAINT AND JURY DEMAND
true names presently unknown) and	:	
ABC-XYZ CORPS., (fictitious	:	
names, true names presently	:	
unknown)	:	
	:	
Defendants.	:	

Plaintiff, EDELEMIRA McBRIDE, residing at 704 Hidden Village Drive, in the City of Perth Amboy, County of Middlesex and State of New Jersey, complaining of defendants herein says:

FIRST COUNT

1. On or about April 30, 2015, the plaintiff, EDELEMIRA McBRIDE, was the owner and operator of a motor vehicle which was lawfully and properly proceeding on Amboy Avenue in the Borough of Metuchen, County of Middlesex and State of New Jersey.

2. At the time and place aforesaid, the defendant, KLLM TRANSPORT SERVICES, was the owner of a motor vehicle which was negligently entrusted to their

agent, servant, employee and/or representative, defendant, TED B. ROBINSON, which he operated in such a reckless, careless and negligent manner as to cause a collision.

3. As a direct and proximate result of the aforesaid joint, several and/or individual negligence of the defendants, KLLM TRANSPORT SERVICES and TED B. ROBINSON, the plaintiff, EDELEMIRA McBRIDE, suffered serious temporary and permanent injuries and suffered past, present and will suffer future pain and suffering and will require medical care and will expend diverse sums of money for her treatment and cure, and has in the past and will in the future, be prevented from attending to her normal activities.

WHEREFORE, Plaintiff, EDELEMIRA McBRIDE, demands judgment against the defendants, KLLM TRANSPORT SERVICES and TED B. ROBINSON, jointly, severally or in the alternative for damages plus interest and costs of suit.

SECOND COUNT

1. Plaintiff repeats and re-alleges the allegations contained in the First Count of this Complaint and makes them a part hereof.

1. Defendants, JOHN DOES 1-10 and ABC-XYZ Corps., are fictitious names intended to identify any and all parties including individuals, corporations and/or other entities whose identities are presently unknown to the plaintiffs, who together with the named defendants were responsible for the ownership, operation, control, lease, and maintenance of the vehicles involved in the collision referred to herein or who in any way caused or contributed to plaintiff's injuries.

3. As a direct and proximate result of the negligence of defendants aforesaid, plaintiff suffered serious physical and emotional injuries of both a temporary and permanent nature, considerable pain, anguish and suffering, shock, loss of wages and other special damages.

WHEREFORE, plaintiff, EDELEMIRA McBRIDE, demands judgment against defendants, JOHN DOES 1-10 and ABC-XYZ Corps., jointly severally or in the alternative for damages plus cost of suit on this Count.

JURY DEMAND

Plaintiff, EDELEMIRA McBRIDE, demands a trial by jury as to all issues contained in the within matter.

DESIGNATION OF TRIAL COUNSEL

FRANK A. TOBIAS, ESQ., is hereby designated trial counsel as to all issues so triable.

DEMAND FOR INSURANCE INFORMATION

Pursuant to R4:10-2(b), plaintiff hereby demands production within 30 days of a copy of the contents of any insurance agreement under which defendants may be covered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

CERTIFICATION

FRANK A. TOBIAS, ESQ., of full age, hereby certifies as to the following:

1. That the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding, and that no other action or arbitration

proceeding is contemplated.

2. I know of no other party or person who should be joined in this action.

3. This Certification is made pursuant to Rule 4:5-1.

4. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

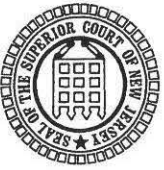

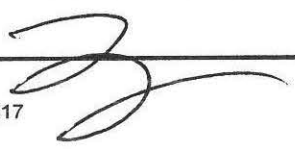
5. I further certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

BY: _____

FRANK A. TOBIAS, ESQ.

Dated: March 1, 2017

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO: _____ AMOUNT: A 9:10 OVERPAYMENT: _____ RECEIVED #5 BATCH NUMBER: _____	
	Use for initial Law Division Civil Part pleadings (not motions) under Rule 1:5-6(c), Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed			
	ATTORNEY / PRO SE NAME FRANK A. TOBIAS, ESQ.		TELEPHONE NUMBER (732) 324-7777	
	COUNTY OF VENUE Middlesex			
FIRM NAME (if applicable) FRANK A. TOBIAS, ESQ., LLC		DOCKET NUMBER (when available) 21503-17		
OFFICE ADDRESS 1107 CONVERY BLVD. PERTH AMBOY, NEW JERSEY 08861		DOCUMENT TYPE COMPLAINT		
		JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
NAME OF PARTY (e.g., John Doe, Plaintiff) Edelemira McBride, Plaintiff		CAPTION McBride v. Ted B. Robinson, et als		
CASE TYPE NUMBER (See reverse side for listing) 603N	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
WILL AN INTERPRETER BE NEEDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE? Spanish		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).				
ATTORNEY SIGNATURE: 				

Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1***CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)**Track I - 150 days' discovery**

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 271 ACCUTANE/ISOTRETINOIN | 292 PELVIC MESH/BARD |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 282 FOSAMAX | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR |
| 287 YAZ/YASMIN/OCELLA | 300 TALC-BASED BODY POWDERS |
| 289 REGLAN | 601 ASBESTOS |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 623 PROPECIA |
| 291 PELVIC MESH/GYNECARE | |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59